

claims, and it fails to teach a “sensitive information component which is hidden in the network” as required by claim 43 and its dependent claims.

Merely encrypting information is not the same as hiding it. For instance, if some information is merely encrypted then all copies of the information could be located and destroyed, but if the information is *hidden* then regardless of whether it is also encrypted it is better preserved because it is hidden from unwanted attention (whether malicious or merely curious), so that the information can be disclosed later if the disclosure conditions are met. This point is made in the application:

“The invention hides copies of sensitive information in networks to prevent destruction of every copy....”

Application at page 5 lines 15-16.

“During the message storing step 202, the invention hides copies of the sensitive information in the network 100 by creating copies of the message and transmitting them in various guises to various locations in the network 100. In some cases, an information provider may know the location of at least some of the copies, but in general the information provider does not know in detail how and where the message copies are stored....”

Application at page 14 lines 1-6.

Message copies may be hidden using locations unknown to the information provider, file disguises, roving messages, and other means described in the application. Encryption may supplement hiding. But those of skill will understand that merely encrypting the information is neither sufficient nor necessary in every case. The point is to *hide* the information, not to merely make it a target for decryption efforts.

When information is merely encrypted, as in Kudo, it can still attract unwanted attention. Because Kudo does not hide the information, the information’s existence is apparent; copies of the information can then be located using familiar tools, and the copies can all be deleted or corrupted even if they cannot be decrypted. They are not safe, because they are not hidden.

By contrast, the present invention hides the sensitive information, so that it is preserved to make disclosure possible later if the disclosure conditions are met.

Like Kudo, Staheli fails to teach hiding information. Indeed, Staheli is essentially concerned with backing up the information in locations which are clearly documented so

the backup can be easily retrieved if the main data server goes down. Differences between backing up data and hiding data were discussed in the parent application; see, e.g., page 12 of Appellant's Brief, and page 2 of the Response filed on or about May 25, 2001. Staheli does not teach hiding data – backing up data and encrypting data are not the same, for the reasons discussed in the parent application and above.

Conclusion

For at least the reasons noted here, the rejections should be withdrawn. To keep this response short and focused but nonetheless address all rejected claims, observations and arguments that might have been presented are not included. For instance, claim limitations such as "file disguise", "roving message" and others discussed in the parent application (issued as U.S. Patent No. 6324650) are not properly understood in the present Office Action. But it is not necessary to address those limitations again here, because the present rejections rely on the incorrect assertion that Staheli and Kudo each teach hiding – they do not teach hiding. Attention can be turned again to various dependent claim limitations if that becomes necessary. Meanwhile, Applicant's silence here with respect to particular statements by the Office does not indicate agreement or acquiescence.

Applicant respectfully requests that all claims be allowed. If any questions might be answered by telephone, the undersigned invites a call at the Examiner's convenience.

Dated February 19, 2004.

CERTIFICATE OF MAILING

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Response



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